

Application Serial No.: 10/036,079
Response to May 3, 2006 Non-Final Office Action

REMARKS

Claims 20 – 26 are in the application. Claims 1 – 19 are canceled and 20 – 26 were previously presented. Claims 20 and 24 are the independent claims herein.

No new matter is added to the application as a result of this Response. Reconsideration and further examination are respectfully requested.

Claim Rejections – 35 USC § 103(a)

Claims 20 – 26 were rejected as being unpatentable over Burge, US 6,014,638 (hereinafter, Burg) in view of "Thin client: back to the future"; Jeff Richardson; InTech; Sep 2001 (hereafter, Thin). This rejection is respectfully traversed.

Applicant reiterates that the pending claims relate to a device and method to interact with network sites over a network interface. For example, claim 20 relates to a storage device storing browser software adapted to control a processor to download and display information from a plurality of network sites, characteristic information associated with each of a plurality of network sites, preference information including a ranking of preferred ones of the plurality of network sites as measured by the characteristic information for indicated by the browser software, and instructions adapted to be executed by the processor to: detect network activity of the user when the user operates the browser software to interact with the plurality of network sites, update the characteristic information based on the detected network activity, the characteristic information including information identifying the duration and frequency of visits to each of the plurality of network sites, and update the preference information based on the updated characteristic information to automatically reconfigure user preferences indicated by said browser software.

Thus, it is clear that the claimed storage device stores browser software. The browser software controls a processor to download and display, inter alia, characteristic

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information including a ranking of preferred ones of said plurality of network sites as measured by the characteristic information for automatically configuring user preferences indicated by the browser software, and instructions adapted to be executed by said processor to, inter alia, update the preference information based on the updated characteristic information to automatically reconfigure user preferences indicated by the browser software. Claim 24 relates to a method that is, in relevant part, similar to claim 20.

Moreover, it is clear that the claimed browser software is adapted to control the processor to download and display various information and indicate user preferences. Since the claimed browser software is adapted to control the processor to download and display various information and indicate user preferences, Applicant's computing device (claims 20 – 24) and method (claims 24 – 26) are not restricted or limited to a specific browsing context, application, or environment. The claimed computing device and method may be applicable and useful in a wide variety of applications, contexts, and applications.

Burge was cited and relied upon in the Office Action to disclose all aspects of claims 20 and 24 except for a computing device with instructions stored at the computing device. For storage of instructions with a computing device, the Office Action cites and relies upon the Thin reference. However, Applicant respectfully submits that Burge and Thin do not disclose that for which they were cited and relied upon for disclosing.

Applicant respectfully submits that the cited and relied upon Burge discloses, "[T]he functions of data collection and display customization are performed automatically by the electronic shopping system." (emphasis added) (See Burge, Abstract) Also, Burge states that, "[H]ost computers, with which subscribers to the on-line service communicate, run application programs providing specialized services such as preferred embodiment of the present invention configured as a shopping manager 84. Specifically, the electronic shopping manager sends display information to the shopper's computer 80. Information about the shopper's selection is communicated

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back to the electronic shopping manager so additional display information may forwarded to the shopper's computer" and "the Browse/Purchase process of the electronic shopping manager processes the user selection data 12 to develop preference profile data as the user navigates through the shopping environment." (emphasis added) (See Burge, col. 4, ln. 40 – 47; and col. 6, ln. 51 – 55)

The cited and relied upon Burge electronic shopping manager does not control a processor to download and display information from a plurality of network sites the same as Applicant's claimed computing device and method. Burge specifically operates using an electronic shopping manager that is part of an electronic shopping system. Burge explicitly discloses an electronic shopping manager of an electronic shopping system performs the functions of data collection and display customization, as illustrated by the sections of Burge reproduced above. Thus, even if Burge were combined with the cited and relied upon Thin as alleged by the Office Action (not admitted or suggested as feasible by Applicant), the resulting combination would not render Applicant's claims obvious. The Burge/Thin combination would at most result in a system having an electronic shopping manager of an electronic shopping system that performs the functions of data collection and display customization *at a user's computing device*. The Burge/Thin data collection and display customization would still be performed by an electronic shopping manager as taught by Burge, not by a browser as claimed by Applicant. That is, even if the functions of the Burge were performed at a user's computing device as alleged by the Office Action (relying on Thin), Applicant's claims would not be obvious since the aspects of data collection and display customization performed by Burge are not the same as or suggestive of Applicant's claimed device and method.

Therefore, even if Burge and Thin were combined as asserted in the Office Action, the resulting combination would not render claims 20 and 24 obvious under 35 USC 103(a) since the alleged combination lacks disclosure or suggestion of, at least, the claimed browser software adapted to control a processor to download and display information from a plurality of network sites, characteristic information associated with

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each of a plurality of network sites, preference information including a ranking of preferred ones of the plurality of network sites as measured by the characteristic information for automatically configuring user preferences indicated by the browser software, and instructions adapted to be executed by the processor to: detect network activity of the user when the user operates the browser software to interact with the plurality of network sites, update the characteristic information based on the detected network activity, the characteristic information including information identifying the duration and frequency of visits to each of the plurality of network sites, and update the preference information based on the updated characteristic information to automatically reconfigure user preferences indicated by said browser software.

Accordingly, Applicant respectfully submits that claims 20 and 24 are patentable over the combination of Burge and Thin for at least the reasons discussed above.

Claims 21 and 23 depend from claim 20 and claims 25 – 26 depend from claim 24. Applicant respectfully submits that claims 21, 23 and 25 – 26 are patentable over Burge and Thin for at least depending on allowable claims 20 and 24.

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CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

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Date



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